

DESIGNATION BY DIRECTOR**9403****(February 2002)**

Department employees may be designated as peace officers or public officers providing they meet the minimum standards for appointment and the peace officer training requirements. The Unit Chief, with the approval of the Region Chief, may select the number of positions to be designated as peace officers or public officers in each unit. This recommendation will be submitted to the Director's office for review.

Permanent CDF employees assigned to positions with law enforcement responsibilities, or first line supervisors of law enforcement programs, shall be appointed as peace officers. They must meet the criteria, minimum standards, and peace officer training requirements of the department.

Other selected personnel assigned duties which require the enforcement of the Forest Practice Act, PRC 4511, or fire laws on a part-time basis may be designated as peace officers or public officers providing they meet the criteria, minimum standards, and peace officer training requirements of the department. The Region or Unit Chief will be responsible for submitting those recommendations.

DESIGNATION BY THE STATE FIRE MARSHAL**9403.1****(February 2002)**

Permanent SFM employees assigned duties which require the enforcement of fire or life safety laws, regulations or ordinances may be designated as peace officers, providing they meet the criteria, minimum standards and peace officer training requirements of the department. Active chiefs of fire departments, fire marshals of cities, counties, and districts providing fire protection, and the salaried field assistants of the State Fire Marshal may be designated as peace officers providing they meet the minimum standards for appointment and the peace officer training requirements.

DURATION OF DESIGNATIONS**9403.2****(February 2002)**

Each department employee designated a peace officer serves at the pleasure of the appointing authority. Such designation will remain in effect until any of the following occurs:

- Revoked by the appointing authority (Director/State Fire Marshal).
- Separation from department employment.
- The employee no longer meets the criteria listed in 9403 and 9403.1.

CONTINUATION OF DESIGNATION

9403.2.1

(February 2002)

The appointing authority may continue the peace officer designation of an officer no longer in a position requiring peace officer status, providing the officer maintains the following:

- Has completed the Peace Officer Standards and Training (POST) Basic Course and has qualified for a Basic, Intermediate or Advanced Law Enforcement Certificate from the Peace Officer Standards and Training Commission.
- The employee keeps current with the Advanced Officer training required by Peace Officer Standards and Training Commission and/or the appointing authority.

SUSPENSION OR MODIFICATION OF DESIGNATION

9403.2.2

(February 2002)

The Director, the State Fire Marshal, or in their absence the Chief of Law Enforcement, upon notice and recommendation of a Region Chief, Staff Chief, or SFM Division Chief may suspend or modify the peace officer or public officer designation of an employee of the department if the employee is:

- Found to be physically or mentally disabled to the extent that he/she cannot perform the full scope of peace officer or public officer duties to which he/she is assigned;
- Accused of a felony;
- Accused of misconduct as a peace officer or public officer;
- Accused of illegal use or misuse of authority; or
- Violated the Law Enforcement Code of Ethics.

PEACE OFFICER STATUS OF CDF RETIREE

9403.3

(February 2002)

CDF peace officers are listed in PC 830.2(g). PC12027 provides that the agency from which such a peace officer is honorably retired will be issued a retired peace officer card. The employee's current peace officer card will be surrendered to the department and forwarded to the Sacramento Law Enforcement Section. An Honorably Retired Peace Officer card will be issued and may specify that the retiring peace officer may carry concealed weapons (CCW) if the officer who, during the course and scope of his/her employment as a peace officer, was authorized to carry firearms. Retiring peace officers requesting the authority to carry concealed weapons must be qualified to departmental

standards at the time of retirement. The agency may deny or revoke, for good cause, the retired officer's privilege to carry a weapon.

PC12027 provides that a retired peace officer who retired after January 1, 1981, shall petition the issuing agency for renewal of his or her privilege to carry a concealed firearm every five years. Where the officer retired after January 1, 1981, the endorsement shall specify the date it is to be reviewed again. Renewal of an honorably retired peace officer card authorizing the carrying of concealed weapons does not require the officer to be currently qualified.

Identification cards for retired CDF peace officers are issued on form LE-93 Honorably Retired Peace Officer cards.

PEACE OFFICER STATUS OF SFM RETIREE

9403.4

(February 2002)

SFM peace officers are listed in PC 830.3(e). Honorably retired SFM peace officers will be issued a retired peace officer card. The employee's current peace officer card will be surrendered to the department and forwarded to the Sacramento Law Enforcement Section. An Honorably Retired Peace Officer card will be issued.

Identification cards for retired SFM peace officers are issued on SFM Honorably Retired Peace Officer cards.

PUBLIC OFFICER STATUS OF RETIREE

9403.5

(February 2002)

There are no provisions for identification of an individual that retires as a public officer. The employee's current public officer card will be surrendered to the department and forwarded to the Sacramento Law Enforcement Section. A retired Public Officer card is not available for issuance.

[\(see next section\)](#)

[\(see HB Table of Contents\)](#)

[\(see Forms or Forms Samples\)](#)